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IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

CIVIL APPLICATION NO. 3426 OF 2006

IN

FIRST APPEAL NO. 2365 OF 2005

Office Notes, Office Memoranda
of Coram, appearances, Court's
Orders or directions and
Registrar's Orders

Court's or Judge's Orders

J.J. Xavier for the plaintiffs.
S.S. Wagh for the respondents.

CORAM: S.B. DESHMUKH, J.
DATE : AUGUST 16, 2006.

P.C. :

1. Heard the learned counsel for the parties.

2. By this application, the applicant is seeking condonation of delay to the extent of 209 days caused in filing First Appeal in this court. The Respondent, in this Civil Application had already filed another

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civil Application which is pending in this court challenging the same judgment and order passed by the Trial court in Civil Suit No. 3755 of 2003.

3. The learned counsel for the Respondent is not seriously objecting the delay. The explanation tendered is sufficient and bonafide. In that view of the matter, his application seeking condonation of delay is allowed and as such disposed off.

4. The Registry is hereby directed to register his First Appeal.

sd/-

(JUDGE)